

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
ERIC C. PEARCE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.: 1:05-CV-11694-RCL
	)	
KEITH BAUMM, ET AL.	)	
	)	
Defendants.	)	
_____	)	

**ASSENTED-TO MOTION TO ADMIT DAVID EBY AS ATTORNEY  
FOR DEFENDANT UNI-CAST, INC. *PRO HAC VICE***

NOW COMES the defendant, Uni-Cast, Inc. (Uni-Cast), by its attorneys Devine, Millimet & Branch, Professional Association and the undersigned Anthony S. Augeri, a member of the bar of this Court, and, with the assent of all counsel of record for the parties, moves the Court to allow David Eby, Esquire to appear *pro hac vice* on their behalf pursuant to L.R. 83.5.3(b). The Affidavit of David Eby, Esquire is submitted in support of this motion.

As grounds in support of this Motion, Uni-Cast states that Attorney Eby is a licensed attorney and member of the bar of the State of New Hampshire, and is admitted to practice before the United States District Court for the District of New Hampshire and the United States First Circuit Court of Appeals. Attorney Eby is in good standing in all jurisdictions and districts in which he is permitted to practice and there are no disciplinary proceedings pending against him. Moreover, Attorney Eby will serve as co-counsel with a member of the bar of this Court, Attorney Anthony S. Augeri, and is familiar with this Court's Local Rules.

Pursuant to L.R. 7.1(A)(2), undersigned counsel conferred with counsel of record for the parties and obtained their respective consent to the relief sought in this motion.

WHEREFORE, Uni-Cast, with the assent of all counsel, respectfully request that the Court grant this motion and admit Attorney Eby *pro hac vice*.

Respectfully submitted,

/s/ Anthony S. Augeri

Anthony S. Augeri, BBO #648696  
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DATED: May 15, 2008

**CERTIFICATE OF SERVICE**

I, Anthony S. Augeri, hereby certify that a true copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) this Fifteenth day of May, 2008. I also certify that a copy will be mailed by first-class mail, postage prepaid, to James D. Poliquin, Esq., at his office of Norman, Hanson & DeTroy, LLC, P.O. Box 4600; 415 Congress Street, Portland, ME 04112.

/s/ Anthony S. Augeri

Anthony S. Augeri, BBO #648696

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_____	)	

**AFFIDAVIT OF DAVID EBY, ESQUIRE**

I, David Eby, hereby depose and state:

1. I am an attorney at Devine, Millimet & Branch, P.A., located at 111 Amherst Street in Manchester, New Hampshire. Devine, Millimet & Branch, P.A. also has an office located at 300 Brickstone Square in Andover, Massachusetts.
2. I am a member in good standing of the Bar of the State of New Hampshire and have been since 1997.
3. I was an active member of the Bar of the State of California from 1994 until 1997. I have been an "inactive" member of the Bar of the State of California from 1997 to the present.
4. I am also admitted to practice in the United States District Court for the District of New Hampshire and the United States First Circuit Court of Appeals.
5. I am a member in good standing in all jurisdictions where I am permitted to practice and I am not subject to any disciplinary proceedings in any jurisdiction or court in which I have been admitted to practice.
6. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

SIGNED under the pains and penalties of perjury this Fifteenth day of  
May, 2008

/s/ David Eby  
David Eby